

**MINUTES OF THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

U.S.A. vs FRANCISCO MARTINEZ & SUSANA CRUZ-MARTINEZ No. 12CR1112-H

The Court finds excludable delay, under the section indicated by check (☒),
commenced on 3-23-12 and ended on 7-9-12; (XK,XTI)

<u>3161(h)</u>			
<u>(1) (A)</u>	Exam or hrg for mental or physical incapacity		A
<u>(1) (B)</u>	State or Federal trials or other charges pending		C
<u>(1) (C)</u>	Interlocutory appeals		D
<u>(1) (D)</u>	Pretrial motions (from flg to hrg or other prompt dispo)		E
<u>(1) (E)</u>	Transfers from other district (per FRCrP 20, 21 & 40)		F
<u>(1) (H)</u>	Proceedings under advisement not to exceed thirty days		G
<u></u>	Misc proc: Parole or prob rev, deportation, extradition		H
<u>(1) (F)</u>	Transportation from another district or to/from examination or hospitalization in ten days or less		J
<input checked="" type="checkbox"/> <u>(1) (G)</u>	Consideration by Court of proposed plea agreement		K
<u>(2)</u>	Prosecution deferred by mutual agreement		I
<u>(3) (A) & (B)</u>	Unavailability of defendant or essential witness		M
<u>(4)</u>	Period of mental or physical incompetence of defendant to stand trial		N
<u>(5)</u>	Superseding indictment and/or new charges		P
<u>(6)</u>	Defendant awaiting trial of co-defendant , no severance has been granted		R
<u>(7) (A) & (B)</u>	Continuances granted per (h) (7)-use "T" alone if more than one of the reasons below are given in support of continuance		T
<u>(7) (B) (i)</u>	1) Failure to grant a continuance in the proceeding would result in a miscarriage of justice and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial. (Continuance - miscarriage of justice)		T1
<input checked="" type="checkbox"/> <u>(7) (B) (i)</u>	2) Failure to grant a continuance of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted. (Continuance - tendered a guilty plea)		
<u>(7) (B) (ii)</u>	3) Case unusual or complex		T2
<u>(7) (B) (iii)</u>	4) Indictment following arrest cannot be filed in thirty (30) days		T3
<u>(7) (B) (iv)</u>	5) Continuance granted in order to obtain or substitute counsel, or give reasonable time to prepare (Continuance re counsel)		T4
<u>3161(8) (i)</u>	Time up to withdrawal of guilty plea		U
<u>18:3161(b)</u>	Grand jury indictment time extended thirty (30) more days		W

Date 3/23/12

Judge's Initials